

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.114

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 23, 2010

Electronic Signature for Barbara A. Saltsman: / Barbara A. Saltsman /

Docket No.: 1258_3378US

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ulrich Wiesner et al.

Application No.: 10/536,569

Confirmation No.: 2178

Filed: May 2, 2006

Art Unit: 1639

For: FLUORESCENT SILICA-BASED
NANOPARTICLES

Examiner: C. M. Gross

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Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the outstanding Final Office Action dated July 7, 2010 ("Final Office Action") and the Interview Summary dated October 14, 2010, both issued in connection with the above-identified application and pursuant to the accompanying Request for Continued Examination (RCE), Applicants respectfully request entry and consideration of the following amendments and remarks. Applicants also submit herewith the following documents:

Exhibit 1;

Transmittal Form (SB 21);

Communication to Record Substance of Interview;

Request for Continued Examination (RCE) Transmittal (SB30);

Fee Transmittal (SB17);

Replacement List of References Cited (SB08); and
Extension of Time Request (3 months).

Please amend the above-identified application as follows:

Listing of the Claims begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.